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EXAMINER	
TIMBLIN, ROBERT M	

ART UNIT	PAPER NUMBER
2167	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/620,538	PAYTON ET AL.	
	Examiner	Art Unit	
	Robert M. Timblin	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 July 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *10-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *4/26/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This Office Action corresponds to application 10/620,538 filed 7/15/2003.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 4/26/2007 is being considered by the examiner.

Response to Amendment

Claims 1-9 have been cancelled. New claims 10-27 have been added. Accordingly, claims 10-27 have been examined and are pending prosecution.

Claim Rejections - 35 USC § 101

Claim 10 rejected under 35 U.S.C. 101 because it is a system claim that fails to indicate the use of hardware and thus is construed as being software per se (i.e. functional descriptive material). If applicant intends to claim "software" system (program product), the system needs to be stored in memory or other computer readable storage medium.

Otherwise, if Applicant intends to claim the system as a machine there needs to be some form of a structural part of a device or combination of devices as part of what is claimed. See MPEP 2106.01.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10, 16, and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the phrase "usable" in the last line of the claims renders the claim indefinite as it is not a positive step clearly reciting that the data structures are being used by the application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 10-27 are rejected under 35 U.S.C. 102(e) as being disclosed by Zielinski et al (Zielinski' hereafter) (U.S. Patent Application 2002/0198876 A1). In the following [paragraphs], drawing references, and figures, Zielinski teaches:

With respect to claim 10, A system for supporting a plurality of graphical user interface (GUI) application programming interfaces (APIs), the system comprising:

a model content provider (drawing reference 20 and abstract; i.e. the interface processor) in communication with a query model ([0020] template (model)), the query model comprising ([0020] template (model)) a plurality of elements ([0003], [0031]) that represents a database statement ([0016] SQL expression), wherein the model content provider (drawing reference 20 and abstract; i.e. the interface processor) translates ([0020],[0028]; i.e. compiling) the plurality of elements ([0003], [0031]) into objects ([0020], drawing references 31, 33, and figure 2) that are independent of any type of data structure ([0020] lines 10-15);

a first content viewer (drawing reference 526, figure 5) in communication with the model content provider (drawing reference 20 and abstract; i.e. the interface processor), the first content viewer (drawing reference 526, figure 5) supporting multiple GUI APIs (drawing reference 303, multiple different applications, and figure 3), wherein the translated objects ([0020], drawing references 31, 33, and figure 2) are passed from the model content provider (drawing reference 20 and abstract; i.e. the interface processor) to the first content viewer (drawing reference 526, figure 5);

and a second content viewer (drawing reference 500, figures 5 and 7) in communication with the first content viewer (drawing reference 526, figure 5) and an application (abstract, drawing reference 30) implementing a specific GUI API (drawing reference 303, particular application), the second content viewer (drawing reference 500, figures 5 and 7) being designed for the specific GUI API (drawing reference 303, particular application), wherein the translated objects are passed from the first content viewer (drawing reference 526, figure 5) to the second content viewer (drawing

reference 500, figures 5 and 7) and the second content viewer (drawing reference 500, figures 5 and 7) manipulates the translated objects into one or more types of data structures (drawing reference 710) that are usable by the application (abstract, drawing reference 30 and [0024]).

With respect to claim 11, the system of claim 10, wherein the one or more types of data structures comprise tables, trees, or lists (fig. 5 data tree).

With respect to claim 12, the system of claim 10, wherein the database statement is a structured query language (SQL) statement ([0005][0016]).

With respect to claim 13, the system of claim 10, wherein the model content provider (drawing reference 20 and abstract; i.e. the interface processor) receives information (abstract) from the application (abstract, drawing reference 30) via the first (drawing reference 526, figure 5) and second (drawing reference 500, figures 5 and 7) content viewers, the received information being independent of any type of data structure ([0020] lines 10-15);

and creates one or more additional elements ([0023][0026]) based on the received information (abstract) responsive to the received information (abstract) being an addition to the plurality of elements ([0003], [0031]) in the query model ([0020] template (model)).

With respect to claim 14, the system of claim 10, wherein the model content provider (drawing reference 20 and abstract; i.e. the interface processor) receives information from the application via the first (drawing reference 526, figure 5) and second content viewers (drawing reference 500, figures 5 and 7) at the model content provider, the received information being independent of any type of data structure ([0020] lines 10-15), and

removes [0031] one or more of the plurality of elements from the query model([0020] template (model)) responsive to the received information being a deletion of the one or more elements ([0003], [0031]) in the query model ([0020] template (model)).

With respect to claim 15, the system of claim 10, wherein the model content provider (drawing reference 20 and abstract; i.e. the interface processor) provides both data (figure 7, drawing reference 710) and image information (figure 7 drawing reference 500) for each of the plurality of elements in the query model to the first content viewer (drawing reference 526, figure 5).

With respect to claim 16, A method for supporting a plurality of graphical user interface (GUI) application programming interfaces (APIs), the method comprising:

translating ([0020], [0028]; i.e. compiling) a plurality of elements ([0003], [0031]) of a query model ([0020] template (model)) into objects ([0020], drawing references 31, 33, and figure 2) that are independent of any type of data structure ([0020] lines 10-15)

using a model content provider (drawing reference 20 and abstract; i.e. the interface processor) in communication with the query model ([0020] template (model)), the plurality of elements ([0003], [0031]) representing a database statement ([0016] SQL expression);

passing the translated objects ([0020], drawing references 31, 33, and figure 2) from the model content provider (drawing reference 20 and abstract; i.e. the interface processor) to a first content viewer in communication with the model content provider, the first content viewer supporting multiple GUI APIs;

passing the translated objects ([0020], drawing references 31, 33, and figure 2) from the first content viewer (drawing reference 526, figure 5) to a second content (drawing reference 500, figures 5 and 7) viewer in communication with the first content viewer (drawing reference 526, figure 5) and an application (abstract, drawing reference 30) implementing a specific GUI API (drawing reference 303, particular application), the second content viewer (drawing reference 500, figures 5 and 7) being designed for the specific GUI API (drawing reference 303, particular application);

and manipulating the translated objects ([0020], drawing references 31, 33, and figure 2) into one or more types of data structures (drawing reference 710) that are usable by the application (abstract, drawing reference 30) using the second content viewer (drawing reference 500, figures 5 and 7).

With respect to claim 17, the method of claim 16, wherein the one or more types of data structures comprise tables, trees, or lists (fig. 5 data tree).

With respect to claim 18 the method of claim 16, wherein the database statement is a structured query language (SQL) statement ([0005][0016]).

With respect to claim 19, the method of claim 16, further comprising:

receiving information (abstract) from the application (abstract, drawing reference 30) via the first (drawing reference 526, figure 5) and second (drawing reference 500, figures 5 and 7) content viewers at the model content provider (drawing reference 20 and abstract; i.e. the interface processor), the received information being independent of any type of data structure ([0020] lines 10-15); and

creating one or more additional elements ([0023][0026]) using the model content provider (drawing reference 20 and abstract; i.e. the interface processor) based on the received information (abstract) responsive to the received information being an addition to the plurality of elements ([0003], [0031]) in the query model ([0020] template (model)).

With respect to claim 20, the method of claim 16, further comprising:

receiving information (abstract) from the application via the first (drawing reference 526, figure 5) and second content viewers (drawing reference 500, figures 5 and 7) at the model content provider (drawing reference 20 and abstract; i.e. the interface processor), the received information (abstract) being independent of any type of data structure ([0020] lines 10-15); and

removing ([0031, i.e. editing) one or more of the plurality of elements ([0003], [0031]) from the query model ([0020] template (model)) using the model content provider (drawing reference 20 and abstract; i.e. the interface processor) responsive to the received information (abstract) being a deletion ([0031, i.e. editing) of the one or more elements ([0003], [0031] in the query model ([0020] template (model)).

With respect to claim 21, the method of claim 16, further comprising: providing both data and image information for each of the plurality of elements in the query model ([0020] template (model)) to the first content viewer (drawing reference 526, figure 5) using the model content provider (drawing reference 20 and abstract; i.e. the interface processor).

With respect to claim 22, A computer-readable medium encoded with a computer program for supporting a plurality of graphical user interface (GUI) application programming interfaces (APIs), the computer program comprising computer-executable instructions for:

translating ([0020], [0028]; i.e. compiling) a plurality of elements ([0003], [0031]) of a query model ([0020] template (model)) into objects ([0020], drawing references 31, 33, and figure 2) that are independent of any type of data structure ([0020] lines 10-15) using a model content provider (drawing reference 20 and abstract; i.e. the interface processor) in communication with the query model ([0020] template (model)), the

plurality of elements ([0003], [0031]) representing a database statement ([0016] SQL expression);

passing the translated objects ([0020], drawing references 31, 33, and figure 2) from the model content provider (drawing reference 20 and abstract; i.e. the interface processor) to a first content viewer in communication with the model content provider, the first content viewer supporting multiple GUI APIs;

passing the translated objects ([0020], drawing references 31, 33, and figure 2) from the first content viewer (drawing reference 526, figure 5) to a second content (drawing reference 500, figures 5 and 7) viewer in communication with the first content viewer (drawing reference 526, figure 5) and an application (abstract, drawing reference 30) implementing a specific GUI API (drawing reference 303, particular application), the second content viewer (drawing reference 500, figures 5 and 7) being designed for the specific GUI API (drawing reference 303, particular application);

and manipulating the translated objects ([0020], drawing references 31, 33, and figure 2) into one or more types of data structures (drawing reference 710) that are usable by the application (abstract, drawing reference 30) using the second content viewer (drawing reference 500, figures 5 and 7).

With respect to claim 23, the computer-readable medium of claim 22, wherein the one or more types of data structures comprise tables, trees, or lists (fig. 5 data tree).

With respect to claim 24, The computer-readable medium of claim 22, wherein the database statement is a structured query language (SQL) statement ([0005][0016]).

With respect to claim 25, the computer-readable medium of claim 22, wherein the computer program further comprises computer-executable instructions for:

receiving information (abstract) from the application (abstract, drawing reference 30) via the first (drawing reference 526, figure 5) and second (drawing reference 500, figures 5 and 7) content viewers at the model content provider (drawing reference 20 and abstract; i.e. the interface processor), the received information being independent of any type of data structure ([0020] lines 10-15); and

creating one or more additional elements ([0023][0026]) using the model content provider (drawing reference 20 and abstract; i.e. the interface processor) based on the received information (abstract) responsive to the received information being an addition to the plurality of elements ([0003], [0031]) in the query model ([0020] template (model)).

With respect to claim 26, the computer-readable medium of claim 22, wherein the computer program further comprises computer-executable instructions for:

receiving information (abstract) from the application via the first (drawing reference 526, figure 5) and second content viewers (drawing reference 500, figures 5 and 7) at the model content provider (drawing reference 20 and abstract; i.e. the

interface processor), the received information (abstract) being independent of any type of data structure ([0020] lines 10-15); and

removing ([0031, i.e. editing) one or more of the plurality of elements ([0003], [0031]) from the query model ([0020] template (model)) using the model content provider (drawing reference 20 and abstract; i.e. the interface processor) responsive to the received information (abstract) being a deletion ([0031, i.e. editing) of the one or more elements ([0003], [0031] in the query model ([0020] template (model)).

With respect to claim 27, the computer-readable medium of claim 22, wherein the computer program further comprises computer-executable instructions for:

providing both data and image information for each of the plurality of elements in the query model ([0020] template (model)) to the first content viewer (drawing reference 526, figure 5) using the model content provider (drawing reference 20 and abstract; i.e. the interface processor).

Response to Arguments

Applicant's arguments with respect to claims 10-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Robert M. Timblin
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7/5/2007

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